

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Teddy Lawrence Turic**

Docket No. **276465**

L.C. No. **03-027735-FH**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The delayed application for leave to appeal filed on February 26, 2007, is DISMISSED for lack of jurisdiction because the application was not filed within 12 months of the October 21, 2005, order appointing appellate counsel and appellant failed to satisfy the first exception of MCR 7.205(F)(4) by not filing the application within 21 days of the January 12, 2007 order denying the motion to withdraw the plea. As demonstrated by the recent order in *People v LaPlante*, -- Mich -- (2007, Supreme Court number 132560) the time to proceed in any appeal where counsel was initially denied is when appellate counsel is subsequently appointed. Second, from that point on the defendant must proceed within the court rule requirements when counsel was initially denied. The court rules in 2004 required the application to be filed within 21 days of the timely filed motion to withdraw the plea.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 14 2007

Date

Sandra Schultz Mengel
Chief Clerk